

Message Text

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TO AMCONSUL SEVILLE

UNCLAS STATE 101169

E.O. 11652:N/A

TAGS: CGEN

SUBJECT: NOTARIAL SERVICES -- WITNESS TO WILL

1. DEPT INFORMED BY OHIO ATTORNEY LEONARD H. WOLFE, THAT HIS FREIND, GRP. CAPT. ALEC A. FLETCHER, RAF (RET), EDIFICIO BRISTOL 3, APT. 41. LOS BOLICHES (MALAGA) WAS TOLD THAT A HANDWRITTEN CODICIL EXECUTED BEFORE AN AMERICAN CONSUL DID NOT NEED TO BE WITNESSED IN ORDER TO BE VALID IN THIS COUNTRY. GRP. CAPT FLETCHER IS NATURALIZED USC. INFORMATION REPORTEDLY CAME FROM "THE AMERICAN CONSULAT MALAGA".

2. ALTHOUGH IN SOME JURISDICTIONS A HOLOGRAPHIC CODICIL NEED NOT BE WITNSSED IN ORDER TO BE VALID, THIS IS NOT THE RULE IN ALL STATES. IN ANY CASE, THE PRESENCE OR ABSENCE OF A NOTARIAL CERTIFICATE ISSUED BY A CONSULAR OFFICER WOULD HAVE NO EFFECT ON THE VALIDITY OF A HOLOGRAPHIC INSTRUMENT.

3. POST IS REQUESTED TO CONTACT GRP. CAPT. FLETCHER AND INFORM HIM OF THAT FACT. PLEASE ALSO ASCERTAIN THE SOURCE OF THE INFORMATION. IF THE SOURCE IS A CONSULAR OFFICER OR THE CONSULAR AGENT AT MALAGA, SUGGEST YOU BRING TO HIS OR HER ATTENTION THE PROVISION OF 7 FAM 871.2

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WHICH PROHIBITS CONOFFS FROM PERFORMING LEGAL SERVICES,
INCLUDING COUNSELING USC'S ABOUT THE PROPER
EXECUTION OF WILLS. SISCO

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